

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

DEBORAH YOUNG, as Personal Representative)
of the Estate of Gwendolyn Young, deceased,)

Plaintiff,)

vs.)

CORRECTIONAL HEALTHCARE)
COMPANIES, INC.,)

Defendant.)

Case No.: 13-CV-315-IDJ-JFJ

PLAINTIFF’S SECOND BENCH BRIEF

COMES NOW Plaintiff, Deborah Young (“Plaintiff”), as the Personal Representative of the Estate of Gwendolyn Young (“Ms. Young”), deceased, and respectfully submits her *Second* Bench Brief as follows:

Information as to a defendant’s financial condition is generally relevant to the issue of punitive damages. *See, e.g., City of Newport v. Fact Concerts, Inc.*, 453 U.S. 247, 270, 101 S. Ct. 2748 (1981) (“[E]vidence of a tortfeasor’s wealth is traditionally admissible as a measure of the amount of punitive damages that should be awarded....”); *Continental Trend Resources, Inc. v. Oxy USA Inc.*, 101 F.3d 634, 641-42 (10th Cir. 1996) (wealth of a defendant is relevant in determining constitutionally permissible punitive damages award under Due Process Clause), *cert. denied*, 520 U.S. 1241 (1997); *North American Ins. Co. v. Bates*, No. CIV-12-544-M, 2014 WL 2865914, at *2 (W.D. Okla. Jun 24, 2014) (unpublished) (“Where punitive damages are claimed, it has been generally held that the Defendant’s financial condition is relevant to the subject matter of the action....”)

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on the 22nd day of February 2023, I electronically transmitted the foregoing document to the Clerk of the Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to all ECF registrants who have appeared in this case.

s/Robert M. Blakemore